



DOCKET NO.: B0801.70231US00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Richard T. Lee
Serial No: 10/024,607
Confirmation. No.: 6830
Filed: November 8, 2001
For: CARDIOVASCULAR DISEASE DIAGNOSTIC AND THERAPEUTIC
TARGETS
Examiner: Not Yet Assigned
Art Unit: 3736

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to **MAIL STOP PETITIONS**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 26th day of April, 2004.


June Watson

MAIL STOP PETITIONS

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:


Transmitted herewith are the following documents:

- ☒ **Petition to Withdraw Holding of Abandonment**
- ☒ **Page 2 – Notice of Abandonment**
- ☒ **Copy of documents previously filed in Response to the Notice to File Missing Parts**
- ☒ **Copy of U.S. Postal Service Express Mail Certificate**
- ☒ **Return Receipt Postcard**

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 646-8000, Boston, Massachusetts.

No fee is enclosed. If a fee is necessary, the Commissioner is hereby authorized to charge Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,
Richard T. Lee, Applicant

By: 
Janice A. Vatland, Reg. No. 52,318
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, Massachusetts 02210-2211
Telephone: (617) 646-8000

Docket No.: B0801.70231US00
Date: April 26, 2004
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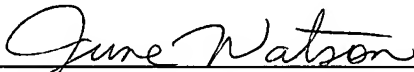
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June Watson

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P.O. Box 1450
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PETITION TO WITHDRAW HOLDING OF ABANDONMENT
UNDER 37 C.F.R. § 1.181(a)

Applicant hereby petitions that the holding of abandonment of the above-identified patent be withdrawn, under C.F.R. § 1.181(a). A copy of the Notice of Abandonment is enclosed.

The Notice of Abandonment is based on an alleged failure to reply to the Notice to Filing Missing Parts mailed on February 1, 2002. Applicant filed a response to the Notice to File Missing Parts on February 21, 2002, via Express Mail. Applicant encloses herewith a copy of the documentation sent to the Patent Office on February 21, 2002, (including copies of the following documents: Express Mail Certificate stamped by the United States Postal Service; postcard; a check in the amount of \$130.00; transmittal letter; Declaration for Patent Application).

Applicant's representative did not receive a phone call from the Patent Office prior to receiving this Notice of Abandonment. Therefore, Applicant's representative first became aware of the Abandonment upon receipt of this Notice.

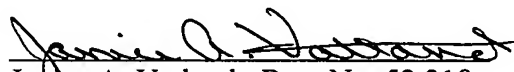
Applicant accordingly believes that the papers filed on February 21, 2002 constituted a timely and complete response to the Notice to File Missing Parts.

Applicant does not believe that this petition requires a fee (see MPEP 711.03(c) (I)), as Applicant timely filed the response, and thus did not abandon this application. Accordingly, no such fee is included. In the event it is determined that such fee is due, Applicant's representative authorizes that the fee be charged to Deposit Account No. 23/2825.

Should there be any questions or if this petition does not place this application in condition for revival, Applicant urges the Office of Petitions to call Applicant's Representative, Janice A. Vatland, at telephone no. (617) 646-8000.

Respectfully Submitted,

By:



Janice A. Vatland, Reg. No. 52,318
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, Massachusetts 02210-2211
Telephone: (617) 646-8000

Docket No.: B0801.70231US00

Date: April 26, 2004

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Elizabeth R. Plumer

PHONE 617 720-3500

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*** B0801/7231

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Serial No. 10/024,607 File No. 80801/7231 By: ERP
Title: CARDIOVASCULAR • • • THERAPEUTIC TARGETS
Application of RICHARD T. LEE WGS Date: _____

The U.S. PTO Mail Room acknowledges receipt of the following on the date stamped hereon:

<p><input checked="" type="checkbox"/> Mailing by Express Mail (37 CFR 1.10) Express Mail Label No. <u>EL 711 263 143 US</u></p> <p><input type="checkbox"/> Patent Application</p> <p><input type="checkbox"/> Non-provisional <input type="checkbox"/> Provisional Incl. _____ pages, (_____ pgs) Specification, (_____ pgs) Abstract, (_____ pgs) Claims (_____ # claims)</p> <p><input checked="" type="checkbox"/> Design Patent Application Declaration(s) <u>OF PATENT APPLICATION</u></p> <p><input type="checkbox"/> Drawings _____ Sheet(s) (FIGS. _____) <input type="checkbox"/> Formal <input type="checkbox"/> Informal</p> <p><input type="checkbox"/> Utility Patent Application Transmittal Fee calculation sheet (x2) CPA Transmittal Verified Statement claiming small entity status Assignment and Cover Sheet</p>	<p><input type="checkbox"/> Provisional Application Cover Sheet Multiple Dependent Claim Fee Sheet Inf. Discl. Statement, PTO Form 1449 <input type="checkbox"/> References Cited Priority Document(s) # _____ <input checked="" type="checkbox"/> Copy of Notice to File Missing Parts Amendment/Response Petition for Ext. of Time (x2) Issue Fee Transmittal Letter to Official Draftsperson Notice of Appeal Brief (x3) <input checked="" type="checkbox"/> Check for \$ <u>130.00</u> Check # <u>9423</u> <input checked="" type="checkbox"/> Transmittal Letter (x2) Cert. of Mailing under 37 CFR 1.8(a)</p>
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☒ Other RETURN RECEIPT POSTMARKED

DATE MAILED FEBRUARY 21, 2002

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PATENT



Wolf, Greenfield & Sacks, P.C.

Federal Reserve Plaza
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Boston, Massachusetts 02210
(617) 720-3500

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440009427 9427

DATE February 21, 2002

AMOUNT \$ 130.00

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130801/7231

M. Greenfield

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Boston, MA 02210

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AMOUNT \$ 130.00

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ATTORNEY'S DOCKET NO.: B0801/7231 (ERP/KA)

Express Mail Label No.: EL 711 263 143 US

Date of Deposit: February 21, 2002

THE UNITED STATES PATENT AND TRADEMARK OFFICE

COPY

Applicant: Richard T. Lee
Serial No: 10/024,607
Confirmation No. 6830
Filed: November 8, 2001
For: CARDIOVASCULAR DISEASE DIAGNOSTIC AND
THERAPEUTIC TARGETS
Examiner: Not yet assigned
Art Unit: Not yet assigned

BOX MISSING PARTS

Director, United States Patent and Trademark Office
Washington, D.C. 20231

TRANSMITTAL

Transmitted herewith are the following documents:

- ☒ Executed Declaration of Patent Application (Original)
- ☒ Check in the amount of \$130.00
- ☒ Copy of Notice to File Missing Parts
- ☒ Return Receipt Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 720-3500 ext. 343.

A check for \$130.00 is enclosed. If any further fee is determined to be due the Examiner is authorized to charged said fee to the account of the undersigned, Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,

Elizabeth R. Plumer, Reg. No. 36,637
WOLF, GREENFIELD & SACKS, P.C.
600 Atlantic Avenue
Boston, MA 02210-2211
(617)720-3500

Attorney Docket No.: B0801/7231 (ERP/KA)
Date: February 21, 2002

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UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/024,607	11/08/2001	Richard T. Lee	B0801/7231 (ERP/KA)

Elizabeth Robin Plumer
 Wolf, Greenfield & Sacks P.C.
 600 Atlantic Ave.
 Boston, MA 02110



CONFIRMATION NO. 6830

ABANDONMENT/TERMINATION
LETTER

OC000000011884372

Date Mailed: 02/12/2004

NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 02/04/2002.

- No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (703) 305-9282. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

*A copy of this notice **MUST** be returned with the reply.*

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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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Attorney Docket No. B0801/7231(ERP/KA)

DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

CARDIOVASCULAR DISEASE DIAGNOSTIC AND THERAPEUTIC TARGETS

the specification of which is attached hereto unless the following is checked:

☒ was filed on November 8, 2001, as U.S. Application No.10/024,607, bearing attorney docket No. B0801/7231.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or section 365(a) of any PCT International application designating at least one country other than the United States listed below and have also identified below any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed:

Prior Foreign PCT International Application(s) and any priority claims under 35 U.S.C. §§119 and 365(a),(b):

			Priority Claimed
_____ (Number)	_____ (Country-if PCT, so indicate)	_____ (DD/MM/YY Filed)	<input type="checkbox"/> <input type="checkbox"/> YES NO
_____ (Number)	_____ (Country-if PCT, so indicate)	_____ (DD/MM/YY Filed)	<input type="checkbox"/> <input type="checkbox"/> YES NO
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I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below:

60/247,457
(Application Number)

(Application Number)

November 9, 2000
(filing date)

(filing date)

COPY

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s), or §365(c) of any PCT International application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

(Application No.)	(filing date)	(status-patented, pending, abandoned)
(Application No.)	(filing date)	(status-patented, pending, abandoned)

PCT International Applications designating the United States:

(PCT Appl. No.)	(U.S. Ser. No.)	(PCT filing date)	(status-patented, pending, abandoned)
-----------------	-----------------	-------------------	---------------------------------------

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Robert M. Abrahamsen	40,886	Jason M. Honeyman	31,624	Edward J. Russavage	43,069
Konstantinos Andrikopoulos	48,915	Robert E. Hunt	39,231	Stanley Sacks	19,900
Eric Amundsen	46,518	Ronald J. Kransdorf	20,004	Robert A. Skrivaneck, Jr.	41,316
John N. Anastasi	37,765	Peter C. Lando	34,654	Alan W. Steele	45,128
Ilan Barzilay	46,540	M. Brad Lawrence	47,210	Mark Steinberg	40,829
Carole Boelitz	48,958	Helen C. Lockhart	39,248	Joseph Teja, Jr.	45,157
Gary S. Engelson	35,128	Matthew B. Lowrie	38,228	Maryanne Trevisan	48,207
Neil P. Ferraro	39,188	William R. McClellan	29,409	John R. Van Amsterdam	40,212
Thomas G. Field III	45,596	Daniel P. McLoughlin	46,066	Robert H. Walat	46,324
Stephen R. Finch	42,534	James H. Morris	34,681	Kristin D. Wheeler	43,583
Edward R. Gates	31,616	Timothy J. Oyer	36,628	Lisa E. Winsor	44,405
Richard F. Giunta	36,149	Edward F. Perlman	28,105	David Wolf	17,528
Lawrence M. Green	29,384	Elizabeth R. Plumer	36,637	Douglas R. Wolf	36,971
George L. Greenfield	17,756	Michael J. Pomianek	46,190		
James M. Hanifin, Jr.	39,213	Randy J. Pritzker	35,986		
Steven J. Henry	27,900				

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Elizabeth R. Plumer
c/o Wolf, Greenfield & Sacks, P.C.,
Federal Reserve Plaza
600 Atlantic Avenue
Boston, MA 02210-2211

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Richard T. Lee

2/1/02

Inventor's signature

Date

Full name of first or joint inventor: Richard T. Lee

Citizenship: US

Residence: 4 Country Drive, Weston, MA 02493

Post Office Address: 4 Country Drive, Weston, MA 02493

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